

REMARKS

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached pages are captioned "**Version With Markings to Show Changes Made.**" The amendments made herein reflect corrections of typographical errors and no new matter has been added. As between the clean version and the attached pages showing changes, the attached pages showing changes are meant to be controlling.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

Connie D. Myers

Seed Intellectual Property Law Group PLLC



---

Dale R. Cook

Registration No. 42,434

DRC:lcs

Enclosure:

Postcard

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

Paragraph beginning at line 7 of page 68 has been amended as follows:

As is apparent above, unless context clearly requires otherwise, those having ordinary skill in the art will appreciate that the embodiments described herein function with related-art rebate vehicles, such as FSIs, as well as with other rebate vehicles described herein. For example, Sections 1-3 refer to rebate vehicles (e.g., coupons and in-store specials) in general. As another example, Section 4 states that one embodiment uses a rebate vehicle downloaded from Web server software 202, and also states that in one embodiment the rebate amounts for the rebate vehicles are contained within the scanned bar codes, which clearly encompasses related-art FSIs. In addition, the figures, in general, do not limit their descriptions to coupons and in-store specials downloaded and printed from a Web server, and hence encompass related-art FSIs. Thus, those having ordinary skill in the art will appreciate that unless context requires otherwise, the embodiments described herein will function with FSIs.

Claims:

Please amend and leave unchanged claims as follows:

1.     (Amended) A method comprising:  
transmitting data to cause displaying display of at least two marks as activation mechanisms for a print-shopping-list command; and  
determining relative consumer awareness of the at least two marks by maintaining an accounting of the number of times each of the at least two marks is activated.
2.     (Amended) The method of Claim 14, wherein said determining relative consumer awareness of the at least two marks by maintaining an accounting of the number of times each of the at least two marks is activated further comprises:

determining a frequency of selection of at least a first mark relative to a frequency of selection of at least a second mark.

3. (Amended) The method of Claim 1+, wherein said determining relative consumer awareness of the at least two marks by maintaining an accounting of the number of times each of the at least two marks is activated further comprises:

saving at least one record of transmission of data to cause display of two or more marks displayed to a user; and

saving a designation of which of the two or more marks the has been user selected, said saving in response to received mark-selection data from the two or more marks displayed to the user.

4. (Amended) The method of Claim 1+, wherein each of the at least two marks may be either a service mark or a trade mark.

5. (Amended) The method of Claim 1+, wherein said transmitting data to cause display of at least two marks as activation mechanisms for a print-shopping-list command~~displaying at least two marks as activation mechanisms for a print-shopping-list command~~ further includes:

transmitting data to cause displaying display of a generic shopping list having at least one product icon.

6. (Amended) The method of Claim 1+, wherein said determining relative consumer awareness of the at least two marks by maintaining a statistical accounting of the number of times each of the at least two marks is activated further comprises:

associating an enticement to activate a mark with the at least two marks.

7. (Amended) The method of Claim 66, wherein said associating an enticement to activate a mark with the at least two marks includes:

associating a profit-sensitive giveaway with at least one of the at least two marks.

8. (Amended) The method of Claim 77, wherein said associating a profit-sensitive giveaway with at least one of the at least two marks further comprises:

comparing a net profit against a net-profit threshold;

comparing a cost of the giveaway against the net profit when the net-profit exceeds the net-profit threshold; and

activating the profit-sensitive giveaway when said comparing shows that the net profit exceeds the cost of the giveaway by a predefined multiple.

9. (Amended) The method of Claim 88, wherein said comparing a cost of the giveaway against the net profit when the net-profit exceeds the net-profit threshold further includes:

comparing a cost of an average grocery purchase against the net profit.

10. (Amended) The method of Claim 88, wherein said comparing a cost of the giveaway against the net profit when the net-profit exceeds the net-profit threshold further includes:

comparing a cost of new automobile against the net profit.

11. (Amended) The method of Claim 88, wherein said activating the profit-sensitive giveaway when said comparing shows that the net profit exceeds the cost of the giveaway by a predefined multiple further includes:

comparing an identity of a retailer where a rebate vehicle is scanned against a list of

having at least one giveaway participant; and

deactivating the profit sensitive giveaway when the retailer where the rebate vehicle is scanned is not on the list of having at least one giveaway participant.

12. (Amended) The method of Claim 1141, wherein said comparing an identity of a retailer where a rebate vehicle is scanned against a list of giveaway participants further includes:

comparing a rebate-form secret bar code against a list having at least one secret bar code associated with at least having at least one giveaway participant.

13. (Amended) The method of Claim 88, wherein said activating the profit-sensitive giveaway when said comparing shows that the net profit exceeds the cost of the giveaway by a predefined multiple further includes:

transmitting data to cause printing of a rebate vehicle which, when scanned, causes the giveaway to occur.

14. (Amended) The method of Claim 13~~13~~, wherein said printing a rebate vehicle which, when scanned, causes the giveaway to occur further includes:

transmitting data to cause printing of a bar code which, when scanned, causes the giveaway to occur.

15. (Amended) A method for determining relative consumer awareness of at least two marks, said method comprising:

accepting user-input specifying at least two marks; and  
recalling an accounting of past activations of the at least two marks to determine frequency of selection of one of the at least two marks relative to another of the at least two marks.

16. (Amended) The method of Claim 15, wherein said accepting user-input specifying at least two marks further includes:

accepting user-input specifying at least two marks via a graphical user interface.

17. (Unchanged) The method of Claim 15, wherein said recalling an accounting of past activations of the at least two marks to determine frequency of selection of one of the at least two marks relative to another of the at least two marks further includes:

determining the frequency of selection of one of the at least two marks relative to another of the at least two mark using statistical methods.

18. (Amended) A system comprising:

means for transmitting data to cause displaying display of at least two marks as activation mechanisms for a print-shopping-list command; and

means for determining relative consumer awareness of the at least two marks by maintaining an accounting of the number of times each of the at least two marks is activated.

19. (Amended) The system of Claim 18, wherein said means for determining relative consumer awareness of the at least two marks by maintaining an accounting of the number of times each of the at least two marks is activated further comprises:

means for determining a frequency of selection of at least a first mark relative to a frequency of selection of at least a second mark.

20. (Amended) The system of Claim 18, wherein said means for determining relative consumer awareness of the at least two marks by maintaining an accounting of the number of times each of the at least two marks is activated further comprises:

means for saving at least one record of transmission of data to cause display of two or more marks displayed to a user; and

means for saving a designation of which of the two or more marks the has been user selected, said saving in response to received mark-selection data from the two or more marks displayed to the user.

21. (Unchanged) The system of Claim 18, wherein each of the at least two marks may be either a service mark or a trade mark.

22. (Amended) The system of Claim 18, wherein said means for transmitting data to cause display of at least two marks as activation mechanisms for a print-shopping-list command~~displaying at least two marks as activation mechanisms for a print-shopping-list command~~ further includes:

means for transmitting data to cause displaying display of a generic shopping list having at least one product icon.

23. (Unchanged) The system of Claim 18, wherein said means for determining relative consumer awareness of the at least two marks by maintaining a statistical accounting of the number of times each of the at least two marks is activated further comprises:

means for associating an enticement to activate a mark with the at least two marks.

24. (Unchanged) The system of Claim 23, wherein said means for associating an enticement to activate a mark with the at least two marks includes:

means for associating a profit-sensitive giveaway with at least one of the at least two marks.

25. (Unchanged) The system of Claim 24, wherein said means for associating a profit-sensitive giveaway with at least one of the at least two marks further comprises:

means for comparing a net profit against a net-profit threshold;

means for comparing a cost of the giveaway against the net profit when the net-profit exceeds the net-profit threshold; and

means for activating the profit-sensitive giveaway when said comparing shows that the net profit exceeds the cost of the giveaway by a predefined multiple.

26. (Unchanged) The system of Claim 25, wherein said means for comparing a cost of the giveaway against the net profit when the net-profit exceeds the net-profit threshold further includes:

means for comparing a cost of an average grocery purchase against the net profit.

27. (Unchanged) The system of Claim 25, wherein said means for comparing a cost of the giveaway against the net profit when the net-profit exceeds the net-profit threshold further includes:

means for comparing a cost of new automobile against the net profit.

28. (Unchanged) The system of Claim 25, wherein said means for activating the profit-sensitive giveaway when said comparing shows that the net profit exceeds the cost of the giveaway by a predefined multiple further includes:

means for comparing an identity of a retailer where a rebate vehicle is scanned against a list of having at least one giveaway participant; and

means for deactivating the profit sensitive giveaway when the retailer where the rebate vehicle is scanned is not on the list of having at least one giveaway participant.

29. (Unchanged) The system of Claim 28, wherein said means for comparing an identity of a retailer where a rebate vehicle is scanned against a list of giveaway participants further includes:

means for comparing a rebate-form secret bar code against a list having at least one secret bar code associated with at least having at least one giveaway participant.

30. (Amended) The system of Claim 25, wherein said means for activating the profit-sensitive giveaway when said comparing shows that the net profit exceeds the cost of the giveaway by a predefined multiple further includes:

means for transmitting data to cause printing of a rebate vehicle which, when scanned, causes the giveaway to occur.

31. (Amended) The system of Claim 30, wherein said means for printing a rebate vehicle which, when scanned, causes the giveaway to occur further includes:

means for transmitting data to cause printing of a bar code which, when scanned, causes the giveaway to occur.

32. (Amended) A system for determining relative consumer awareness of at least two marks, said system comprising:

means for accepting ~~user~~-input specifying at least two marks; and

means for recalling an accounting of past activations of the at least two marks to determine frequency of selection of one of the at least two marks relative to another of the at least two marks.

33. (Amended) The system of Claim 32, wherein said means for accepting ~~user~~-input specifying at least two marks further includes:



means for accepting ~~user~~-input specifying at least two marks via a graphical user interface.

34. (Unchanged) The system of Claim 32, wherein said means for recalling an accounting of past activations of the at least two marks to determine frequency of selection of one of the at least two marks relative to another of the at least two marks further includes:

means for determining the frequency of selection of one of the at least two marks relative to another of the at least two mark using statistical methods.

Please add new claims as follows:

35. (New) The method of Claim 15, wherein said recalling an accounting of past activations of the at least two marks to determine frequency of selection of one of the at least two marks relative to another of the at least two marks further includes:

transmitting data to present frequency of selection of one of the at least two marks relative to another.

36. (New) The system of Claim 32, wherein said means for recalling an accounting of past activations of the at least two marks to determine frequency of selection of one of the at least two marks relative to another of the at least two marks further includes:

means for transmitting data to present frequency of selection of one of the at least two marks relative to another.

37. (New) A method comprising:

displaying at least two marks as activation mechanisms for a print-shopping-list command; and

transmitting data indicating which of the at least two marks has been activated.

38. (New) The method of Claim 37, wherein each of the at least two marks may be either a service mark or a trade mark.

39. (New) The method of Claim 37, wherein said displaying at least two marks as activation mechanisms for a print-shopping-list command further includes:

displaying a generic shopping list having at least one product icon.

40. (New) The method of Claim 37, wherein said displaying at least two marks as activation mechanisms for a print-shopping-list command further comprises:

displaying an enticement to activate a mark in proximity to the at least two marks.

41. (New) The method of Claim 40, wherein said displaying an enticement to activate a mark in proximity to the at least two marks further includes:

displaying a notice that activating at least one of the at least two marks might result in a giveaway.

42. (New) A system comprising:

means for displaying at least two marks as activation mechanisms for a print-shopping-list command; and

means for transmitting data indicating which of the at least two marks has been activated.

43. (New) The system of Claim 42, wherein each of the at least two marks may be either a service mark or a trade mark.

44. (New) The system of Claim 42, wherein said means for displaying at least two marks as activation mechanisms for a print-shopping-list command further includes:

means for displaying a generic shopping list having at least one product icon.

45. (New) The system of Claim 42, wherein said means for displaying at least two marks as activation mechanisms for a print-shopping-list command further comprises:

means for displaying an enticement to activate a mark in proximity to the at least two marks.

46. (New) The system of Claim 45, wherein said means for displaying an enticement to activate a mark in proximity to the at least two marks further includes:

means for displaying a notice that activating at least one of the at least two marks might result in a giveaway.

272554